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September 13, 2019

**VIA ECF**

Hon. Judge Alison J. Nathan  
United States District Court  
Southern District of New York  
40 Foley Square, Rm. 2102  
New York, New York 10007

Re: *Green v. Humana at Home, Inc. et al.*  
Civil Case No.: 16-cv-7586

Dear Judge Nathan:

As counsel for Defendant in the above matter, we write pursuant to the parties' recent status update (Dkt. # 138) and the Court's subsequent Order (Dkt. #139) to provide a further status report regarding the parties' meet and confer ahead of the court conference on October 11, 2019 (Dkt. # 136). The parties agree that pre-trial proceedings and trial are premature in this matter, though they disagree as to the appropriate next step.

Plaintiff has indicated that she anticipates renewing her motion for class certification, on the putative class' wage notice violations, pursuant to New York Labor Law, and that such motion practice should take place next. Defendant submits that Plaintiff should not be permitted to renew her motion for numerous reasons relating to the merits of such certification. Defendant also submits that Plaintiff's modest individual FLSA claim should not be an impediment to its appeal of the threshold legal issue in this case. Dkt. 140-141.

Additionally, Plaintiff intends to oppose Defendants' recent motion for reconsideration, and in compliance with this Court's recent Order (Dkt. No. 143), will file her opposition brief by September 20, 2019.

The parties remain available to provide further information ahead of the upcoming conference. We thank the Court for its continued attention to this matter.

Respectfully submitted,

JACKSON LEWIS P.C.



Noel P. Tripp

NPT:dc

cc: Counsel of Record (via ECF)  
4853-1483-3316, v. 2